



12/26/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Docket No. A-71249/RMS/DCF

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I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
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 ADDRESSED TO: BOX PATENT APPLICATION, ASSISTANT  
 COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME Darryl Kerner

SIGNED

Anticipated Classification of  
 this Application:

Class: Subclass:

Prior Application:

Examiner:

Art Unit: 1645

**Box 1 PATENT APPLICATION**

Assistant Commissioner for Patents  
 Washington, DC 20231

Sir:

This is a request for filing an

- ☐ Original
- ☐ Continuation
- ☐ Divisional
- ☒ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of David MORRIS and Eric ENGELHARD, for

NOVEL COMPOSITIONS AND METHODS FOR CANCER

1. (a) ☐ Enclosed is a new application.  
 (b) ☒ Enclosed is a continuation-in-part application.  
 (c) ☐ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.  
 (b) ☐ Enclosed is a copy of the prior executed Declaration as originally filed.  
 (c) ☐ Enclosed is a Combined Declaration/Power of Attorney.

3. (a) ☐ Enclosed is a Small Entity Affidavit.  
 (b) ☒ A Small Entity Affidavit is of record in the prior application.

4. ☐ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

|                               | (Col. 1)         | (Col.2)          | <u>SMALL ENTITY</u> |                  |           | <u>OTHER THAN A<br/>SMALL ENTITY</u> |                         |
|-------------------------------|------------------|------------------|---------------------|------------------|-----------|--------------------------------------|-------------------------|
| For:                          | <u>No. Filed</u> | <u>No. Extra</u> | <u>Rate</u>         | <u>Fee</u>       | <u>Or</u> | <u>Rate</u>                          | <u>Fee</u>              |
| Basic Fee                     |                  |                  |                     | \$ 370.00        |           |                                      | \$740.00                |
| Total Claims                  | <u>19</u> - 20 = | <u>0</u>         | <u>0</u> x 9 =      | \$ <u>.00</u>    | OR        | <u>  </u> x \$18 =                   | \$ <u>      </u>        |
| Indep Claims                  | <u>14</u> - 3 =  | <u>11</u>        | <u>11</u> x 42 =    | \$ <u>154.00</u> | OR        | <u>  </u> x \$84 =                   | \$ <u>      </u>        |
| [ ] Multiple Dependent Claims |                  |                  | + \$140 =           | \$ <u>.00</u>    | OR        | + \$280 =                            | \$ <u>      </u>        |
| Total                         |                  |                  |                     | <u>\$ 524.00</u> |           |                                      | <u>\$ <u>      </u></u> |

\* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

5. ☒ NO check is enclosed.

6. ☐ Our check in the amount of                    is enclosed.

7. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-71249/RMS/DCF).

8. ☐ Cancel in this application original claims                    of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

9. ☐ Amend the specification by inserting before the first line the sentence:

10. (a) ☐ Informal drawings are enclosed, ☐ sheets.  
(b) ☐ Formal drawings are enclosed, ☐ sheets.
11. (a) ☒ Claims benefit of U.S. Application Serial Nos. 09/747,377, filed December 22, 2000; and 09/798,586, filed March 2, 2001; and Novel Compositions and Methods for Cancer, filed October 23, 2001 (serial no. unknown); Novel Compositions and Methods for Cancer, filed November 8, 2001 (serial no. unknown); Novel Compositions and Methods for Cancer, filed November 30, 2001 (serial no. unknown), and Novel Compositions and Methods for Cancer, filed December 20, 2001 (serial no. unknown).

(b) ☐ The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.

12. ☐ An Assignment is enclosed.

13. ☐ The prior application is assigned of record to \_\_\_\_\_.

14. ☐ A Power of Attorney by Assignee is enclosed.

15. ☒ The power of attorney in the prior application is to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT, LLP

(a) ☐ The power appears in the original papers in the prior application.

(b) ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

(c) ☒ Address all future communications to:

Robin M. Silva, Esq.

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP

Suite 3400, Four Embarcadero Center

San Francisco, California 94111-4187

Telephone: (415) 781-1989

16. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
17. ☐ A Prior Art Statement is enclosed.
18. ☐ A Sequence Listing is enclosed (comprising a communication, computer readable sequence listing, and paper copy thereof).
19. ☐ I hereby verify that the attached papers are a true duplicate of prior application Serial No. \_\_\_\_\_ as originally filed on \_\_\_\_\_.

Date: December 26, 2001

David C. Foster  
David C. Foster, Reg. No. 44,685  
Patent Agent for  
Robin M. Silva, Reg. No. 38,304

Address of Signer:

Suite 3400, Four Embarcadero Center  
San Francisco, California 94111-4187  
Telephone: 415-781-1989

☒ Attorney or agent of record  
☐ Filed under Section 1.34(a)

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